

DISCUSSION OF THE AMENDMENT

Claim 1 has been amended by switching the order of recital of the excluded members from the hydrophobic compound Markush group.

Claims 21 and 22 have each been amended by deleting a superfluous “wherein.”

With entry of this amendment, Claims 1, 3-9, 12-16 and 18-22 will remain pending in the application. Of these claims, Claims 12-15 stand withdrawn from consideration.

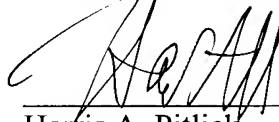
REMARKS

Applicants thank the Examiner for the courtesy extended to Applicants' attorney during the telephone interview held November 17, 2008, in the above-identified application. During the interview, Applicants' attorney asked whether an amendment which amended Claim 1 as above would be entered, given the "after Final" status of the application. The Examiner indicated that it would, provided it did not raise any other issues. Applicants submit that under these circumstances, the amendment should be entered, since it reduces the issues on appeal.

The rejections of the claims under 35 U.S.C. § 112, second paragraph, and under 35 U.S.C. § 112, first paragraph, are respectfully traversed, for reasons discussed in a to-be-filed Appeal Brief.

Respectfully submitted,

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